

I've Been Sloaned

An Overview of Significant Nebraska Decisions 2015-2016

Who Are You? (who, who!)

- Gail Steen
- 1992 graduate UNL
- 1992-2000 Legal Aid, Norfolk and Omaha
- 2000-2008 HHS Legal, Protection and Safety
- 2008 Steen Law Office

Statistics! Yay!

- ❑ 12 published by Court of Appeals, 6 affirms
- ❑ Affirmed 50% percent
- ❑ 2014-2015 – 4 published

- ❑ 7 published by NE Supreme Court, 2 affirmed, 1 dismissed
- ❑ Affirmed 42 percent
- ❑ 2014-2015 – 14 published, 71.4% affirmed

- ❑ 50th year of Gault!

Court of Appeals

- Joy Shiffermiller - appellant extraordinaire
- Tavian B., Miah T. 50% success

In re Sloane T.

- ❑ 2015 Supreme Court case, must file to fault
- ❑ Douglas County, 3a, LV, mom on birth certificate, temp custody order



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Aftermath

- ❑ In re Adoption of Jaelyn B. – full faith and credit, don't care about science
- ❑ In re Miah T – slop it in at placement hearing good enough
- ❑ In re Giavanna G – TPR year after dad's adjudication, reversed on best interest as some improvement

A Softer, Gentler Court?

- ❑ In re Guardianship of Celeste – mom immature narcissist, but hey, fit
- ❑ Grace H – not corrected not enough if no harm to new child
- ❑ Alec S – continued visits, need someone close to the case, like a doctor (eye roll)
- ❑ In re Mya C – supervised visits, but clean enough

In re Mya C.

- ❑ COA, Lancaster, Ryder
- ❑ 3a for Mya, added rest for dirty house
- ❑ Dad never beyond supervised visits, not prepared
- ❑ COA – adjudicated issue cleanliness, done
- ❑ 15/22 – yes, but not best interest

In re Jackson E.

- ❑ Child with grandparents 2 ½ years, then moved
- ❑ Grandparents intervened, and objected to change
- ❑ Supremes – fosters can't appeal, grandparents “keeping abreast”, not right to appeal

In re Dale L.

- ❑ Lancaster, Judge Ryder
- ❑ Split court – affirmed in one sentence
- ❑ Not just for US Supreme Court
- ❑ Sarah Safranik, PD, Ashley Bohnet, CA

In re Tavian B.

- ❑ ICWA Transfer case
- ❑ 2015 BIA guidelines – Advanced = TPR
- ❑ Concurrent dissent by Justice Stacy

In re Alec S.

- ❑ Fault petition on mom for not seeking treatment for her mental health (?)
- ❑ Therapist says terminate, but should have ongoing contact, as closely bonded (seems ? But I'm ok with it)
- ❑ COA – no one close to case testified, like a doctor (?), workers may be too removed

Thanks!

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